

Remarks

As a result of the forgoing claim amendments, claims 1 - 4, 6, 13 and 15 have been canceled and claims 5, 7, 10 and 16 have been amended. Claims 5, 7 - 10 and 16 are now pending. No new matter has been entered by these amendments.

Applicants address the Examiner's remarks in the order presented.

Claim Rejection under 35 USC §102/103

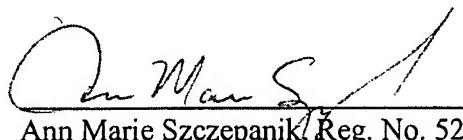
Claims 1 - 10 and 13 and Claims 15 and 16 are rejected under 35 USC §102(b) as allegedly anticipated by, or in the alternative, under 35 USC 103(a) as allegedly obvious over WO 98/117782 (Deff et al., published April 30, 1998).

Duff et al. discloses a transgenic mouse comprising a PS1 gene with a M146L mutation and the Swedish mutation of the APP gene. Claims 1 - 4, 6, 13, 15 have been canceled and claims 5, 7, 10 and 16 have been amended. Independent claim 16 of the instant application recites a non-human transgenic animal model comprising the PS1 mutation M147L and the APP Swedish, Dutch and London mutations. For a proper rejection under 35 USC §102(b), the invention must be patented or described in a printed publication. To establish a *prima facie* case of obviousness under 35 USC §103, three basic criteria must be met: (1) there must be some suggestion or motivation to modify the reference or to combine reference teachings; (2) there must be a reasonable expectation of success; and (3) the prior art reference (or references when combined) must teach or suggest all the claim limitations (MPEP § 2142). Duff et al. does not disclose each and every claim limitation of the instant application. Further, Duff et al. does not provide any suggestion or motivation that would suggest to one skilled in the art to construct the transgenic model of the instant invention comprising amyloid plaques, neuronal loss and mitochondrial dysfunction. Applicant's respectfully request withdrawal of the rejection under 35 USC §102/103.

Entry of the amendments is proper under 37 CFR §1.116 because the amendments place the application in condition for allowance, do not raise new issues requiring further search and/or consideration and places the application in better condition for appeal should an appeal be necessary.

Applicants respectfully submit that the application is now in condition for allowance and request notice thereof.

Respectfully submitted,



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